

Regular Session, 2010

SENATE BILL NO. 34

BY SENATOR MARTINY

DENTISTRY. Provides relative to dental advertisements. (gov sig)

AN ACT

To enact R.S. 37:775(13), relative to the practice of dentistry; to provide for advertisements by dentists; to provide for disclosure requirements in advertisements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:775(13) is hereby enacted to read as follows:

§775. Unprofessional conduct defined

As used in this Chapter, "unprofessional conduct" means:

* * *

(13) Notwithstanding any provision of this Section, when it is required by this Section that an advertisement include the name of the advertising dentist as it appears on the license or renewal certificate of the dentist or the specialties of all dentists practicing within or under the name of a corporation, company, association, limited liability company, or trade name be disclosed in the advertisement, such requirement shall be deemed to be sufficiently satisfied if the names and specialties of all dentists practicing in, with or under the said corporation, company, association, limited liability company, or trade name are

1 made available on an Internet web site fully disclosed in the advertisement, or
2 are provided without delay to any individual requesting such information by
3 contacting the advertiser at a telephone number also disclosed in the
4 advertisement. Whether the advertisement is run by the corporation, company,
5 association, limited liability company, or trade name, or any individual member
6 practicing therein, all dentists practicing in, with or under the corporation,
7 company, association, limited liability company, or trade name shall be
8 responsible for the content of the advertisement.

9 Section 2. This Act shall become effective upon signature by the governor or, if not
10 signed by the governor, upon expiration of the time for bills to become law without signature
11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
12 vetoed by the governor and subsequently approved by the legislature, this Act shall become
13 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Greg Waddell

DIGEST

Martiny (SB 34)

Proposed law provides that when it is required by present law that an advertisement include the name of the advertising dentist as it appears on the license or renewal certificate of the dentist or the specialties of all dentists practicing within or under the name of a corporation, company, association, limited liability company, or trade name be disclosed in the advertisement, such requirement shall be deemed to be sufficiently satisfied if the names and specialties of all dentists practicing in, with or under the said corporation, company, association, limited liability company, or trade name are made available on an Internet web site fully disclosed in the advertisement, or are provided without delay to any individual requesting same by contacting the advertiser at a telephone number also disclosed in the advertisement.

Proposed law further provides that whether the advertisement is run by the corporation, company, association, limited liability company, or trade name, or any individual member practicing within same, all dentists practicing in, with or under the corporation, company, association, limited liability company, or trade name shall be responsible for the content of the advertisement.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 37:775(13))